

*SC NAACP v. Alexander,*  
D.S.C. Case No. 3:21-cv-03302-MGL-TJH-RMG

# Exhibit A

1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF SOUTH CAROLINA  
3 COLUMBIA DIVISION  
4

5 THE SOUTH CAROLINA STATE CONFERENCE OF THE NAACP,  
6 et al.,

7 Plaintiffs,

8 vs. CASE NO.: 3:21-CV-03302-MGL-TJH-RMG

9 THOMAS C. ALEXANDER, et al.,

10 Defendants.  
11

12 DEPOSITION OF: SENATOR LUKE A. RANKIN  
13 (APPEARING VIA VIRTUAL ZOOM)

14 DATE: August 2, 2022

15 TIME: 10:52 AM

16 LOCATION OF  
17 THE DEPONENT: Rankin & Rankin Law Firm  
201 Beatty Street  
18 Conway, SC

19 TAKEN BY: Counsel for the Plaintiffs

REPORTED BY: TERRI L. BRUSSEAU  
(APPEARING VIA VIRTUAL ZOOM)  
20  
21  
22  
23  
24  
25

1           A.     Yes, in a bad faith case. Insurance  
2 bad faith case.

3           Q.     Um-hum. Was that in your personal  
4 capacity?

5           A.     Legal.

6           Q.     Oh, you were a lawyer representing a  
7 party, but then you were also deposed in that case?

8           A.     Correct.

9           Q.     I see. You've never been deposed in  
10 your professional capacity as a member of the South  
11 Carolina Senate?

12          A.     No.

13          Q.     Or in your personal capacity as Luke  
14 Rankin?

15          A.     No.

16          Q.     Okay. I'm just going to take a pause  
17 here, Senator Rankin. I see that I asked you about  
18 whether anything was up on your laptop, but now I  
19 can see that you're also looking at what might be a  
20 desktop or another computer, is that right?

21          A.     Yes.

22          Q.     So let me just ask, are there materials  
23 about this case up on your -- the computer that  
24 you're looking at that's not your laptop?

25          A.     No.

1 Q. Okay. Thanks. Outside of depositions,  
2 have you ever been a party to any other lawsuit  
3 whether in your professional or personal capacity?

4 A. In my dissolution of my first marriage,  
5 that was the only time I was a litigant as best I  
6 recall.

7 Q. And you were a defendant there?

8 A. No, plaintiff.

9 Q. And have you ever been sued in your  
10 professional capacity as a member of the South  
11 Carolina Senate other than in this case?

12 A. No. Well, perhaps. There may have  
13 been litigation with a gubernatorial appointment --  
14 appointment power, so I don't think anything in the  
15 realm of redistricting, certainly not COVID-related  
16 litigation, but I don't recall any specific other  
17 instances of that.

18 Q. What was the COVID litigation you're  
19 talking about?

20 A. Well, it could have been in terms of  
21 our authority to do certain things. Again, these  
22 were litigated cases that the -- one school  
23 district or perhaps Bass mandate litigation that  
24 the state was a party, President Peeler was at that  
25 time. Again, in caption only would have been my

1 involvement. I've never participated in any  
2 litigation in my official capacity otherwise.

3 Q. Okay. Were you in caption only sued as  
4 a defendant in any other case?

5 A. Not that I'm aware of, no.

6 Q. Have you ever testified in court,  
7 again, whether as to your personal capacity or  
8 professional capacity?

9 A. I have testified in a case involving  
10 someone's competency either on a Will or a deed,  
11 and that's been 20 plus years ago; otherwise, I  
12 don't think I've ever testified in court.

13 Q. In that case you weren't deposed  
14 earlier and then testified, you just testified?

15 A. No. Yeah.

16 Q. Okay. All right. Let's talk a little  
17 bit about your background before we get to the case  
18 itself. Where were you born, sir?

19 A. Conway.

20 Q. Is that in South Carolina?

21 A. Yes.

22 Q. And where did you grow up?

23 A. Conway, South Carolina.

24 Q. And you said you currently live in  
25 Conway, South Carolina as well, is that right?

1           A.    No, live about 14 miles east in Myrtle  
2   Beach.

3           Q.    Okay. How long have you lived in  
4   Myrtle Beach?

5           A.    Since '88.

6           Q.    Have you ever lived outside of South  
7   Carolina?

8           A.    No.

9           Q.    Let's walk through your educational  
10 background. Where did you go to college?

11          A.    University of South Carolina, '84  
12 undergrad, and then law school '87.

13          Q.    What did you study in undergrad?

14          A.    Political science and history.

15          Q.    And then you said you graduated from  
16 USC Law in '87?

17          A.    Correct.

18          Q.    Did you specialize in anything at the  
19 law school?

20          A.    At the law school?

21          Q.    Um-hum.

22          A.    Graduation.

23          Q.    I hear you. And did you take a job  
24 right out of law school?

25          A.    I did.

1 Q. What was that job?

2 A. I worked with a firm here in Horry  
3 County.

4 Q. What kind of work did you do?

5 A. Litigation.

6 Q. General litigation, any specialty area?

7 A. Civil litigation injury, death and  
8 general -- some general practice, but mostly in the  
9 injury law capacity on behalf of injured parties  
10 and/or survivors of wrongful death cases.

11 Q. Okay. Do you mind walking me through  
12 each of your jobs after that until you got to the  
13 South Carolina Senate?

14 A. Well, all in Conway. There was a firm  
15 that I started with that the nucleus of it  
16 remained. It was Hearn & Corbett when I first got  
17 out. We merged with a larger firm, Van Osdol  
18 Stewart, et cetera. There were a number of -- lots  
19 of lawyers there. Then we effectively demerged and  
20 it became a smaller firm called Hearn, Brittain &  
21 Martin. And then in '91, I joined my father's  
22 firm, and it's been Rankin & Rankin ever since.

23 Q. What kind of work have you done at  
24 Rankin & Rankin generally?

25 A. The same type work, civil litigation,

1 meet with him?

2 A. Actual meetings, I -- I can't even  
3 guesstimate. Conversations from again July  
4 forward, countless. Countless.

5 Q. Okay. What kind of questions did you  
6 ask him?

7 A. Almost like Ed Koch, the former mayor  
8 of New York City, how am I doing, how are we doing,  
9 and effectively trying to move again the process to  
10 the finish line, so...

11 Q. Did you ever ask him if a proposed map  
12 violated the law?

13 A. Don't recall, but surely he testified  
14 and/or opined to our committee, our subcommittee,  
15 but specifically, I mean, I don't recall that  
16 direct question and a direct answer.

17 Q. So you --

18 A. But I would have to say that he would  
19 have endorsed these.

20 Q. I know that he testified in the open  
21 committee hearing that he believed that maps  
22 were -- did not violate the law, but you never  
23 asked him before he did that whether they did and  
24 how they passed legal muster, you never had that  
25 conversation with him?

1 so to speak, the Ross Perot line. I never felt the  
2 need to do that.

3 Q. How did you comfort yourself that  
4 whatever they produced did, in fact, comply with  
5 the law, despite your faith in them?

6 A. Say that first part again. Had I --

7 Q. How did you -- did you ever for  
8 yourself confirm that the maps that they were  
9 producing complied with the law and the guidelines?

10 A. Well, again, in deference to counsel,  
11 Charlie Terreni and perhaps John Gore, again, the  
12 collective opinion was that it would. Now, I guess  
13 you're going to attest that and we'll see what the  
14 courts say in response to your claim. But for our  
15 purposes, all eyes wide open, we believed that it  
16 did comply with the law.

17 Q. And that's based on what you heard from  
18 Mr. Terreni and Mr. Gore?

19 A. Again, based on the work that we  
20 started in July, based on the principles that we  
21 adopted, based on the input from subcommittee  
22 members, again, votes taken, considerations made  
23 throughout this entire process with legal opinions  
24 being offered at effectively every turn for the  
25 staff and the subcommittee.

1 process, but I said part of the mix of things that  
2 give you comfort, that gave you comfort, were they  
3 legal opinions from John Gore and Charlie Terreni?

4 A. Correct.

5 Q. Thank you. We've talked about the  
6 guidelines of it. Let's look at them. I'm going  
7 to put them up on the screen. It might take a  
8 second because this is the first exhibit that we're  
9 looking at and sometimes it's a little glitchy, so  
10 bear with me.

11 MR. GORE: Somil, if you're moving to a  
12 new topic, I'd like to ask the court reporter  
13 whether she needs a short break.

14 MR. TRIVEDI: I can deal with a  
15 five-minute break, actually.

16 COURT REPORTER: I would love a  
17 five-minute break.

18 THE WITNESS: Let me ask you this: I  
19 need to be finished by five o'clock.

20 MR. TRIVEDI: Can we go off the record,  
21 Miss Terri?

22 COURT REPORTER: We're off.

23 (Off the record.)

24 (A recess transpired.)

25 BY MR. TRIVEDI:

1 Q. Do you have an understanding that part  
2 of what must be considered is a racially polarized  
3 voting analysis?

4 A. I really don't.

5 Q. Did counsel, including Mr. Gore and  
6 Mr. Terreni, ever say we have to conduct a  
7 racially polarized voting analysis?

8 MR. GORE: I'm going to object on  
9 attorney/client privilege and instruct the witness  
10 not to answer.

11 BY MR. TRIVEDI:

12 Q. During the mapmaking process prior to  
13 litigation, did any attorney tell you you have to  
14 conduct a racially polarized voting analysis?

15 MR. GORE: Again I'm going to object on  
16 attorney/client privilege and instruct the witness  
17 not to answer.

18 BY MR. TRIVEDI:

19 Q. Did anyone acting in a nonlegal  
20 capacity ever tell you you need to conduct a  
21 racially polarized voting analysis?

22 A. I don't recall.

23 Q. As to the two questions that Mr. Gore  
24 just instructed you not to answer, are you not  
25 answering those questions because of that